

NTCAPR, APPEAL

**United States Bankruptcy Court
District of Massachusetts (Worcester)
Bankruptcy Petition #: 23-40709**

Assigned to: Judge Christopher J. Panos
Chapter 7
Involuntary

Date filed: 08/31/2023
341 meeting: 11/15/2023

Debtor

Westborough SPE LLC
231 Turnpike Road
Westborough, MA 01581
WORCESTER-MA
Tax ID / EIN: 94-3286768

represented by **Westborough SPE LLC**
PRO SE

Petitioning Creditor

Nathanson & Goldberg, P.C.
183 State Street, 5th FL
Boston, MA 02109

represented by **Jose C. Centeio**
Nathanson & Goldberg, PC
183 State Street
Boston, MA 02025
617-210-4815
Email: jcc@natgolaw.com

Stephen F. Gordon

The Gordon Law Firm LLP
River Place
57 River Street
Wellesley, MA 02481
(617) 261-0100
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Scott Adam Schlager

Locke Lord LLP
111 Huntington Avenue
Boston, MA 02199
617-909-4511
Fax : 888-325-9020
Email: scott.schlager@lockelord.com
TERMINATED: 04/15/2024

Petitioning Creditor

The MobileStreet Trust
12 Cole Road
Wayland, MA 01778

Assistant U.S. Trustee

Richard King
Office of US. Trustee
446 Main Street
14th Floor
Worcester, MA 01608

represented by

Trustee

Jonathan R. Goldsmith
Goldsmith, Katz & Argenio, P.C.
1350 Main Street
Suite 1505
Springfield, MA 01103
413-747-0700

Jonathan R. Goldsmith

Goldsmith, Katz & Argenio, P.C.
1350 Main Street
15th Floor
Springfield, MA 01103
(413) 747-0700
Fax : (413) 747-0414
Email: bankrdocs1@gkcalawfirm.com

Filing Date	#	Docket Text
08/31/2023	<u>1</u>	Chapter 7 Involuntary Petition Against a Non-Individual. Fee Amount \$338 Re: Westborough SPE LLC filed by Nathanson & Goldberg, P.C. (attorney Stephen F. Gordon), The MobileStreet Trust (Gordon, Stephen) (Entered: 08/31/2023)
08/31/2023		Receipt of filing fee for Involuntary Petition (Chapter 7)(<u>23-40709</u>) [misc,invol7] (338.00). Receipt Number A20159660, amount \$ 338.00 (re: Doc# <u>1</u>) (U.S. Treasury) (Entered: 08/31/2023)
08/31/2023	<u>2</u>	Notice of Appearance and Request for Notice by Scott Adam Schlager with certificate of service filed by Petitioning Creditor Nathanson & Goldberg, P.C. (Schlager, Scott) (Entered: 08/31/2023)
09/01/2023	<u>3</u>	Involuntary Summons Issued on Westborough SPE LLC. (meh, Usbc) (Entered: 09/01/2023)
09/03/2023	<u>4</u>	BNC Certificate of Mailing. (Re: <u>3</u> Involuntary Summons Issued) Notice Date 09/03/2023. (Admin.) (Entered: 09/04/2023)
09/05/2023	<u>5</u>	Motion and Answer to Involuntary Bankruptcy with certificate of service filed by Debtor Westborough SPE LLC. (ab) (Entered: 09/05/2023)
09/05/2023	<u>6</u>	Statement of Corporate Ownership filed by Debtor Westborough SPE LLC. (ab) (Entered: 09/05/2023)
09/05/2023	<u>7</u>	Matrix filed by Debtor Westborough SPE LLC. (ab) (Entered: 09/05/2023)
09/08/2023	<u>8</u>	Schedules A/B, D – H filed by Debtor Westborough SPE LLC. (ab) (Entered: 09/11/2023)
09/08/2023	<u>9</u>	Statement of Financial Affairs for Non-Individual filed by Debtor Westborough SPE LLC. (ab) (Entered: 09/11/2023)
09/11/2023	<u>10</u>	Motion filed by Debtor Westborough SPE LLC to Appoint Interim Trustee with certificate of service. (ab) (Entered: 09/11/2023)
09/11/2023	<u>11</u>	Statement of Taxpayer Identification Number filed by Debtor Westborough SPE LLC . (ab) (Entered: 09/11/2023)
09/11/2023	<u>12</u>	Summons Service Executed in an Involuntary Case on Westborough SPE LLC 9/8/2023, Answer Due 9/29/2023 filed by Petitioning Creditor Nathanson & Goldberg, P.C., Debtor Westborough SPE LLC (Gordon, Stephen) (Entered: 09/11/2023)
09/25/2023	<u>13</u>	Emergency Motion filed by Debtor Westborough SPE LLC To Modify Automatic Stay Re: To Commence Legal Action in California Superior

			Court with certificate of service. Fee Amount \$188, Objections due by 10/10/2023. (Attachments: # <u>1</u> Proposed Order) (ab) (Entered: 09/25/2023)
10/02/2023		<u>14</u>	Emergency Motion filed by Petitioning Creditor Nathanson & Goldberg, P.C. For Order <i>Emergency Motion of Petitioning Creditors for Immediate Entry of an Order for Relief or, in the Alternative, an Order Forbidding the Manager of the Alleged Debtor from Filing Anything in the Courts of California</i> with certificate of service. (Attachments: # <u>1</u> Exhibit A) (Gordon, Stephen) (Entered: 10/02/2023)
10/02/2023		<u>15</u>	Supplement with certificate of service (Re: <u>13</u> Emergency Motion filed by Debtor Westborough SPE LLC To Modify Automatic Stay) filed by Debtor Westborough SPE LLC. (ab) (Entered: 10/02/2023)
10/03/2023		<u>16</u>	Notice of Appearance and Request for Notice by Paul W. Carey with certificate of service filed by Creditor Ferris Development Group, LLC (Carey, Paul) (Entered: 10/03/2023)
10/03/2023		<u>17</u>	Notice of Appearance and Request for Notice by Brian W. Riley with certificate of service filed by Creditor Town of Westborough (Riley, Brian) (Entered: 10/03/2023)
10/03/2023		<u>18</u>	Notice of Appearance and Request for Notice by Jeffrey T Blake with certificate of service filed by Creditor Town of Westborough (Blake, Jeffrey) (Entered: 10/03/2023)
10/03/2023		<u>19</u>	Notice of Appearance and Request for Notice by Roger L. Smerage with certificate of service filed by Creditor Town of Westborough (Smerage, Roger) (Entered: 10/03/2023)
10/03/2023		<u>20</u>	Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts with certificate of service and proposed order Fee Amount \$188, Objections due by 10/17/2023. (Attachments: # <u>1</u> Appendix # <u>2</u> Proposed Order # <u>3</u> List of Exhibits) (Smerage, Roger) (Entered: 10/03/2023)
10/03/2023		<u>21</u>	Exhibit <i>s A-L</i> (Re: <u>20</u> Motion for Relief From Stay) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> Exhibit # <u>6</u> Exhibit # <u>7</u> Exhibit # <u>8</u> Exhibit # <u>9</u> Exhibit # <u>10</u> Exhibit # <u>11</u> Exhibit # <u>12</u> Certificate of Service) (Smerage, Roger) (Entered: 10/03/2023)
10/03/2023		<u>22</u>	Affidavit of Kristi Williams <i>in Support of Motion</i> with certificate of service (Re: <u>20</u> Motion for Relief From Stay) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Declaration of Electronic Filing) (Smerage, Roger) (Entered: 10/03/2023)
10/03/2023			Receipt of filing fee for Motion for Relief From Stay(<u>23-40709</u>) [motion,mrlfsty] (188.00). Receipt Number A20196974, amount \$ 188.00 (re: Doc# <u>20</u>) (U.S. Treasury) (Entered: 10/03/2023)
10/04/2023		<u>23</u>	Limited Opposition <i>to Motions for Appointment of Trustee (and for Order of Relief)</i> with certificate of service filed by Creditor Town of Westborough Re: <u>10</u> Motion filed by Debtor Westborough SPE LLC to Appoint Trustee with certificate of service., <u>14</u> Emergency Motion filed by Petitioning Creditor Nathanson & Goldberg, P.C. For Order <i>Emergency Motion of Petitioning Creditors for Immediate Entry of an Order for Relief</i>

			<i>or, in the Alternative, an Order Forbidding the Manager of the Alleged Debt (Attachments: # <u>1</u> Appendix) (Smerage, Roger) (Entered: 10/04/2023)</i>
10/06/2023		<u>24</u>	Opposition with certificate of service filed by Debtor Westborough SPE LLC Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts. (ab) (Entered: 10/06/2023)
10/10/2023		<u>25</u>	Objection of <i>Petitioning Creditors</i> with certificate of service filed by Petitioning Creditor Nathanson & Goldberg, P.C. Re: <u>13</u> Emergency Motion filed by Debtor Westborough SPE LLC for Relief from Stay Re: To Commence Legal Action in California Superior Court with certificate of service Fee Amount \$188, (Gordon, Stephen) (Entered: 10/10/2023)
10/11/2023		<u>26</u>	Order for Relief dated 10/11/2023. See Order for Full Text. (meh, Usbc) (Entered: 10/11/2023)
10/11/2023		<u>27</u>	DISREGARD – Copy of <u>26</u> Order for Relief to Debtor and The MobileStreet Trust. (sas) Corrective Entry– Wrong PDF attached. (Entered: 10/11/2023)
10/11/2023		<u>28</u>	Copy of <u>26</u> Order for Relief to Debtor and The MobileStreet Trust. (sas) (Entered: 10/11/2023)
10/12/2023		<u>29</u>	Certificate of Appointment and Acceptance of Trustee and Fixing of Bond. (ADI) (Entered: 10/12/2023)
10/12/2023			Meeting of Creditors 341(a) meeting to be held on 11/15/2023 at 11:30 AM as Telephonic Meeting. Proofs of Claims due by 1/9/2024. (meh, Usbc) (Entered: 10/12/2023)
10/12/2023		<u>30</u>	Court's Notice of 341 sent . (meh, Usbc) (Entered: 10/12/2023)
10/12/2023		<u>31</u>	Endorsed Order dated 10/12/2023 Re: <u>10</u> Motion filed by Debtor Westborough SPE LLC to Appoint Interim Trustee. DENIED AS UNNECESSARY. THE ORDER FOR RELIEF HAS ENTERED IN THIS CASE, SEE DKT. NO. 26, AND A CHAPTER 7 TRUSTEE HAS BEEN APPOINTED. (sas) (Entered: 10/12/2023)
10/13/2023		<u>32</u>	DISREGARD. Application filed by Trustee Jonathan R. Goldsmith to Employ Goldsmith, Katz & Argenio, P.C. as Counsel filed with Affidavit along with certificate of service and proposed order. (Goldsmith, Jonathan) Incorrect PDF Attached. Modified on 10/13/2023 (ab). (Entered: 10/13/2023)
10/13/2023		<u>33</u>	DISREGARD. Declaration Re: Electronic Filing (Re: <u>32</u> Application to Employ) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) Incorrect Pdf Attached. Modified on 10/13/2023 (ab). (Entered: 10/13/2023)
10/13/2023		<u>34</u>	Application filed by Trustee Jonathan R. Goldsmith to Employ Goldsmith, Katz & Argenio, P.C. as Counsel filed with Affidavit along with certificate of service and proposed order. (Goldsmith, Jonathan) (Entered: 10/13/2023)
10/13/2023		<u>35</u>	Declaration Re: Electronic Filing (Re: <u>34</u> Application to Employ) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 10/13/2023)

			10/13/2023)
10/13/2023		<u>36</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>28</u> Generic PDF) Notice Date 10/13/2023. (Admin.) (Entered: 10/14/2023)
10/14/2023		<u>37</u>	BNC Certificate of Mailing – Meeting of Creditors. (Re: <u>30</u> Court's Notice of 341 sent 7 Business Asset) Notice Date 10/14/2023. (Admin.) (Entered: 10/15/2023)
10/14/2023		<u>38</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>31</u> Order on Motion to Appoint Trustee) Notice Date 10/14/2023. (Admin.) (Entered: 10/15/2023)
10/16/2023		<u>39</u>	Telephonic Hearing Scheduled for 10/25/2023 at 02:30 PM. Objections due by 10/24/2023 at 12:00 PM on <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA) and Opposition to Appointment of a Bankruptcy Trustee. TO PARTICIPATE, ATTENDEES SHALL DIAL (877) 873-8018 AND ENTER ACCESS CODE 1167883. To facilitate informal discussions similar to those that occur just prior to in-person hearings that may narrow or resolve issues, the Court encourages parties to confer by telephone prior to the scheduled hearing. When stating their names for the record, participants are invited to also state that the parties have reached resolution on some or all of the issues on for hearing. (hm) (Entered: 10/16/2023)
10/16/2023		<u>40</u>	Certificate of Service of Notice of Hearing (Re: <u>20</u> Motion for Relief From Stay) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Notice of Hearing) (Smerage, Roger) (Entered: 10/16/2023)
10/23/2023		<u>41</u>	Order dated 10/23/2023 Re: <u>13</u> Emergency Motion filed by Debtor Westborough SPE LLC To Modify Automatic Stay Re: To Commence Legal Action in California Superior Court. NOTWITHSTANDING THAT THE MOTION WAS FILED BY WESTBOROUGH SPE, LLC WITHOUT COUNSEL, SEE MLBR 9010- 1(G), MLBR 9029-3, AND D. MASS. LR 83.5.5 (PROVIDING THAT A LIMITED LIABILITY COMPANY MAY NOT APPEAR WITHOUT COUNSEL), EVEN IF THE COURT WERE TO CONSIDER THIS MOTION, IT IS MOOT . AN ORDER FOR RELIEF HAS ENTERED AND A CHAPTER 7 TRUSTEE HAS BEEN APPOINTED. (ab) (Entered: 10/23/2023)
10/23/2023		<u>42</u>	Endorsed Order dated 10/23/2023 Re: <u>14</u> Emergency Motion filed by Petitioning Creditor Nathanson & Goldberg, P.C. For Order Emergency Motion of Petitioning Creditors for Immediate Entry of an Order for Relief or, in the Alternative, an Order Forbidding the Manager of the Alleged Debtor from Filing Anything in the Courts of California. MOOT . AN ORDER FOR RELIEFHAS ENTERED AND A CHAPTER 7 TRUSTEE HAS BEEN APPOINTED. (ab) (Entered: 10/23/2023)
10/24/2023		<u>43</u>	Limited Objection filed by Trustee Jonathan R. Goldsmith Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts with certificate of service and proposed order Fee Amount \$188, (Goldsmith, Jonathan) (Entered: 10/24/2023)
10/24/2023		<u>44</u>	Certificate of Service (Re: <u>43</u> Objection) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 10/24/2023)
10/24/2023		<u>45</u>	Assented To Motion filed by Trustee Jonathan R. Goldsmith to Continue Hearing [Re: <u>20</u> Motion for Relief From Stay] with certificate of service.

			(Goldsmith, Jonathan) (Entered: 10/24/2023)
10/24/2023		<u>46</u>	Order dated 10/24/2023 Re: <u>45</u> Assented To Motion filed by Trustee Jonathan R. Goldsmith to Continue Hearing [Re: <u>20</u> Motion for Relief From Stay]. THEASSENTED TO MOTION TO CONTINUE HEARING IS <u>GRANTED</u> . THE OCTOBER 25, 2023 HEARING REGARDING THE TOWN OF WESTBOROUGH'S MOTION FOR RELIEF FROM AUTOMATIC STAY [DKT. NO. 20] (THE "STAY RELIEF MOTION") IS HEREBY CONTINUED TO NOVEMBER 30, 2023 AT 10:30 A.M. IN PERSON IN COURTROOM 1, 12TH FLOOR, JOHN W. MCCORMACK POST OFFICE AND COURT HOUSE, 5 POST OFFICE SQUARE, BOSTON, MASSACHUSETTS 02109, WITH AN OPTION TO APPEAR BY ZOOM VIDEO. THE COURT SHALL ENTER A FURTHER NOTICE OF HYBRID HEARING INFORMING PARTICIPANTS ON HOW TO ELECT TO APPEAR BY EITHER ZOOM VIDEO OR IN PERSON AT THE CONTINUED HEARING. THE DEADLINE FOR THE TRUSTEE TO FILE A FURTHER RESPONSE TO THE STAY RELIEF MOTION IS NOVEMBER 27, 2023 AT 11:59 P.M. (ab) (Entered: 10/24/2023)
10/24/2023		<u>47</u>	Hybrid Hearing Scheduled for 11/30/2023 at 10:30 AM Either Zoom or In Person at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA Re <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA) and Opposition to Appointment of a Bankruptcy Trustee. (SEE DOCKET NO. 46 FOR TRUSTEE RESPONSE DEADLINE). PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (hm) (Entered: 10/24/2023)
10/24/2023			Hearing Rescheduled to 11/30/2023 at 10:30 AM as Hybrid Either Zoom or In Person at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA Re <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). (hm) (Entered: 10/24/2023)
10/25/2023		<u>48</u>	Certificate of Service of Notice of Hearing (Re: <u>20</u> Motion for Relief From Stay) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Notice of Hearing) (Smerage, Roger) (Entered: 10/25/2023)
10/25/2023		<u>49</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>41</u> Order on Motion For Relief From Stay) Notice Date 10/25/2023. (Admin.) (Entered: 10/26/2023)
10/25/2023		<u>50</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>42</u> Order on Motion for Order/Authority) Notice Date 10/25/2023. (Admin.) (Entered: 10/26/2023)
10/26/2023		<u>51</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>46</u> Order on Motion to Continue/Cancel Hearing) Notice Date 10/26/2023. (Admin.) (Entered: 10/27/2023)
10/31/2023		<u>52</u>	Order dated 10/31/2023 Re: <u>34</u> Application filed by Trustee Jonathan R. Goldsmith to Employ Goldsmith, Katz & Argenio, P.C. as Counsel. <u>ALLOWED</u> . See Order for Full Text. (Telam, Usbc) (Entered: 10/31/2023)
11/13/2023			Telephonic Meeting Information for Section 341 Meeting of Creditors: Dial-in Number: 877-988-0160 Participant Code: 8425739#. For International Call Information Please Contact the Trustee. (Goldsmith, Jonathan) (Entered: 11/13/2023)

11/17/2023			Meeting of Creditors Held and Examination of Debtor as scheduled. (Goldsmith, Jonathan) (Entered: 11/17/2023)
11/27/2023		<u>53</u>	NOTICE OF TIME CHANGE OF HYBRID HEARING. The Time of the Hybrid Hearing Scheduled for 11/30/2023 Is Changed to 01:30 PM Either Zoom or In Person at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA on <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (hm) (Entered: 11/27/2023)
11/27/2023			TIME CHANGE OF HYBRID HEARING. The Time of the Hearing Is Changed to 01:30 PM Either Zoom or In Person at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA on <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). (hm) (Entered: 11/27/2023)
11/27/2023		<u>54</u>	Certificate of Service of Notice of Hearing (Re: <u>20</u> Motion for Relief From Stay) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Notice of Time Change of Hybrid Hearing) (Smerage, Roger) (Entered: 11/27/2023)
11/27/2023		<u>55</u>	Supplemental Document: <i>Trustee's Supplemental Objection to Town of Westborough's Motion for Relief from Automatic Stay and Opposition to the Appointment of a Bankruptcy Trustee</i> with certificate of service (Re: <u>20</u> Motion for Relief From Stay, <u>46</u> Order on Motion to Continue/Cancel Hearing) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 11/27/2023)
11/30/2023			Hybrid Hearing Held and Continued to 12/21/2023 at 01:30 PM Either Zoom or In person at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA re <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). (hm) (Entered: 12/01/2023)
12/01/2023			Hearing Held 11/30/2023 (Re: <u>20</u> Motion for Relief From Stay filed by Creditor Town of Westborough). (Telam, Usbc) (Entered: 12/01/2023)
12/01/2023		<u>56</u>	Proceeding Memorandum and Order dated 12/1/2023 Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts. THE HEARING IS CONTINUED TO 12/21/2023 AT 1:30 PM IN COURTROOM 1, 12TH FLOOR, JOHN W. MCCORMACK POST OFFICE AND COURTHOUSE, 5 POST OFFICE SQUARE, BOSTON, MASSACHUSETTS 02109, WITH AN OPTION FOR PARTIES TO APPEAR BY ZOOM VIDEO. TO OBTAIN VIDEO ACCESS INFORMATION FOR THE CONTINUED HEARING, PARTICIPANTS SHALL EMAIL THE COURTROOM DEPUTY, HALINA MAGEROWSKI, AT CJP_COURTROOM_DEPUTY@MAB.USCOURTS.GOV NO LATER THAN 12/20/2023 AT 1:30 P.M., PROVIDING THE CONTACT INFORMATION FOR THE PARTY SEEKING TO APPEAR BY VIDEO. (Telam, Usbc) (Entered: 12/01/2023)
12/15/2023		<u>57</u>	Joint Motion filed by Trustee Jonathan R. Goldsmith, Creditor Town of Westborough to Continue Hearing [Re: <u>20</u> Motion for Relief From Stay] with certificate of service. (Smerage, Roger) (Entered: 12/15/2023)
12/18/2023		<u>58</u>	Notice of Appearance and Request for Notice with certificate of service filed by Creditor Lolonyon Akouete. (ab) (Entered: 12/18/2023)

12/18/2023		<u>59</u>	Opposition with certificate of service filed by Creditor Lolonyon Akouete Re: <u>57</u> Joint Motion filed by Trustee Jonathan R. Goldsmith, Creditor Town of Westborough to Continue Hearing [Re: <u>20</u> Motion for Relief From Stay] with certificate of service. (ab) (Entered: 12/18/2023)
12/19/2023		<u>60</u>	Order dated 12/19/2023 Re: <u>57</u> Joint Motion filed by Trustee Jonathan R. Goldsmith, Creditor Town of Westborough to Continue Hearing [Re: <u>20</u> Motion for Relief From Stay]. GRANTED . See Order for Full Text. (ab) (Entered: 12/19/2023)
12/19/2023			Hybrid Hearing Continued to 02/13/2024 at 10:30 AM Either Zoom or In person at Worcester Courtroom 3 – CJP on <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). (hm) (Entered: 12/19/2023)
12/21/2023		<u>61</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>60</u> Order on Motion to Continue/Cancel Hearing) Notice Date 12/21/2023. (Admin.) (Entered: 12/22/2023)
01/04/2024		<u>62</u>	Motion filed by Creditor Lolonyon Akouete For Court Assistance In Recovering Unclaimed Funds For the Benefit of the Bankruptcy Estate with certificate of service. (ab) (Entered: 01/04/2024)
01/05/2024		<u>63</u>	Order dated 1/5/2024 Re: <u>62</u> Motion filed by Creditor Lolonyon Akouete For Court Assistance In Recovering Unclaimed Funds For the Benefit of the Bankruptcy Estate. DENIED . See Order for Full Text. (ab) (Entered: 01/05/2024)
01/05/2024		<u>65</u>	Motion filed by Creditor Lolonyon Akouete to Compel Release of Information For Compliance with the Financial Crimes Enforcement Network (FinCEN) Requirements with certificate of service. (ab) (Entered: 01/08/2024)
01/07/2024		<u>64</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>63</u> Order on Motion to Compel) Notice Date 01/07/2024. (Admin.) (Entered: 01/08/2024)
01/12/2024		<u>66</u>	Order dated 1/12/2024 Re: <u>65</u> Motion filed by Creditor Lolonyon Akouete to Compel Release of Information For Compliance with the Financial Crimes Enforcement Network (FinCEN) Requirements. DENIED . AS RECOGNIZED IN THE MOTION, THE CHAPTER 7 TRUSTEE IS THE PARTY AUTHORIZED TO ADDRESS COMPLIANCE REQUIREMENTS WITH RESPECT TO THE DEBTOR. WITHIN THIRTY (30) DAYS OF THE DATE OF THIS ORDER, THE TRUSTEE SHALL FILE A STATUS REPORT WITH REPECT TO ANY FINANCIAL CRIMES ENFORCEMENT NETWORK COMPLIANCE REQUIREMENTS. (ab) (Entered: 01/12/2024)
01/14/2024		<u>67</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>66</u> Order on Motion to Compel) Notice Date 01/14/2024. (Admin.) (Entered: 01/15/2024)
01/15/2024		<u>68</u>	Motion filed by Creditor Lolonyon Akouete to Require the Trustee to Furnish Information Under 11 U.S.C. Section 704(a)(7) with certificate of service. (sl) (Entered: 01/16/2024)
01/16/2024		<u>69</u>	Motion filed by Creditor Town of Westborough to Dismiss Case with certificate of service. (Attachments: # <u>1</u> Appendix # <u>2</u> List of Exhibits) (Smerage, Roger) (Entered: 01/16/2024)

01/16/2024		<u>70</u>	Exhibit (Re: <u>69</u> Motion to Dismiss Case) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Exhibit A – Quitclaim Deed # <u>2</u> Exhibit B – MA Certificate of Registration # <u>3</u> Exhibit C – LLC Agreement # <u>4</u> Exhibit D – MA Certificate of Withdrawal # <u>5</u> Exhibit E – BBAS Resignation # <u>6</u> Exhibit F – DE Administrative Dissolution # <u>7</u> Exhibit G – Babcock & Brown Withdrawal # <u>8</u> Exhibit H – VI Gazette, excerpted # <u>9</u> Exhibit I – Search Report # <u>10</u> Exhibit J – Instrument of Taking # <u>11</u> Exhibit K – Tax Foreclosure Complaint # <u>12</u> Exhibit L – Tax Foreclosure Judgment # <u>13</u> Exhibit M – DE Certificate of Revival # <u>14</u> Exhibit N – Dec. 6, 2022 Email # <u>15</u> Exhibit O – Smart Investors MD Documents # <u>16</u> Exhibit P – Akouete LinkedIn # <u>17</u> Exhibit Q – Akouete Exs. 2 and 3 # <u>18</u> Exhibit R – MA Application for Registration # <u>19</u> Exhibit S – Staples.com Printout # <u>20</u> Exhibit T – M. Morris Email # <u>21</u> Exhibit U – Jan. 13, 2023 Email # <u>22</u> Exhibit V – Bill of Sale # <u>23</u> Exhibit W – Motion to Vacate # <u>24</u> Exhibit X – In re Blaustein Docket # <u>25</u> Exhibit Y – Waiver of Notice and Consent to Conservatorship # <u>26</u> Exhibit Z – Affidavit of Peter L. Blaustein # <u>27</u> Exhibit AA – Jan. 7, 2023 Email # <u>28</u> Exhibit BB – iMessage Screenshots # <u>29</u> Exhibit CC – 2022 LLC Agreement # <u>30</u> Exhibit DD – Opposition without Exhibits # <u>31</u> Exhibit EE – Land Court Docket # <u>32</u> Exhibit FF – Sept. 15, 2022 Text # <u>33</u> Exhibit GG – CA Decision # <u>34</u> Exhibit HH – June 29, 2023 Email # <u>35</u> Exhibit II – Dec. 1, 2023 Email Chain # <u>36</u> Exhibit JJ – Dec. 16, 2023 Email # <u>37</u> Exhibit KK – Dec. 26, 2023 Email Chain # <u>38</u> Certificate of Service) (Smerage, Roger) (Entered: 01/16/2024)
01/16/2024		<u>71</u>	Hybrid Hearing Scheduled for 2/13/2024 at 10:30 AM Either Zoom or In Person at Worcester Courtroom 3 – CJP. Objections due by 2/7/2024 at 11:59 PM on <u>69</u> Motion of the Town of Westborough to Dismiss Bankruptcy Case. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (hm) (Entered: 01/16/2024)
01/16/2024		<u>72</u>	Certificate of Service of Notice of Hearing (Re: <u>69</u> Motion to Dismiss Case) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Notice of Hearing) (Smerage, Roger) (Entered: 01/16/2024)
01/17/2024		<u>73</u>	Response with certificate of service filed by Creditor Lolonyon Akouete Re: <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case. (ab) (Entered: 01/17/2024)
01/17/2024		<u>74</u>	Notice of Removal – Rule 9027 (a)(1) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 01/17/2024)
01/17/2024		<u>84</u>	Adversary case 24–04006. Notice of Removal Regarding Town of Westborough v. Westborough SPE LLC filed by Jonathan Goldsmith, Chapter 7 Trustee. Fee Amount \$350 Nature of Suit (Nature of Suit (01 (Determination of removed claim or cause). (meh, Usbc) (Entered: 02/07/2024)
01/25/2024		<u>75</u>	Objection with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>68</u> Motion filed by Creditor Lolonyon Akouete Seeking to Require the Trustee to Furnish Information Under 11 U.S.C. Section 704(a)(7). (Goldsmith, Jonathan) (Entered: 01/25/2024)
01/26/2024		<u>76</u>	Order dated 1/26/2024 Re: <u>68</u> Motion filed by Creditor Lolonyon Akouete to Require the Trustee to Furnish Information Under 11 U.S.C. Section 704(a)(7). DENIED . See Order for Full Text. (ab) (Entered: 01/26/2024)
01/28/2024		<u>77</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>76</u> Order on Generic Motion) Notice Date 01/28/2024. (Admin.) (Entered: 01/29/2024)

02/02/2024		<u>78</u>	Motion filed by Trustee Jonathan R. Goldsmith to Compel the California State Controller to Surrender to the Trustee Property of the Estate [Expedited Determination Requested] with certificate of service. (Goldsmith, Jonathan) (Entered: 02/02/2024)
02/02/2024		<u>79</u>	DISREGARD. A CORRECTED NOTICE SHALL ISSUE. Hybrid Hearing Scheduled for 2/13/2024 at 10:30 AM Either Zoom or In Person at Worcester Courtroom 3 – CJP. Objections due by 2/12/2024 at 04:30 PM on <u>78</u> Expedited Motion of the Chapter 7 Trustee, Jonathan R. Goldsmith, to Compel the California State Controller to Surrender to the Trustee Property of the Estate. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (hm) Modified on 2/8/2024 (hm). (Entered: 02/02/2024)
02/05/2024		<u>80</u>	Certificate of Service of Notice of Hearing (Re: <u>78</u> Motion to Compel) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 02/05/2024)
02/05/2024		<u>81</u>	Response with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>76</u> Order dated 1/26/2024 Re: <u>68</u> Motion filed by Creditor Lolonyon Akouete to Require the Trustee to Furnish Information Under 11 U.S.C. Section 704(a)(7). DENIED . See Order for Full Text. (ab) (Goldsmith, Jonathan) (Entered: 02/05/2024)
02/07/2024		<u>82</u>	DISREGARD – Hybrid Status Conference Scheduled for 2/13/2024 at 10:30 AM Either Zoom or In Person at Worcester Courtroom 3 – CJP on <u>74</u> Notice of the Chapter 7 Trustee, Jonathan R. Goldsmith, of Removal – Rule 9027 (a)(1). PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (hm) (Entered: 02/07/2024)
02/07/2024		<u>83</u>	Motion filed by Creditor Town of Westborough for Remand Tax Foreclosure Action (Re: <u>74</u> Notice) with certificate of service. (Attachments: # <u>1</u> Appendix) (Smerage, Roger) (Motion has been docketed in AP 24–4006 Document #2.) (Entered: 02/07/2024)
02/07/2024		<u>85</u>	Opposition with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case with certificate of service. (Goldsmith, Jonathan) (Entered: 02/07/2024)
02/07/2024		<u>86</u>	Objection of <i>Petitioning Creditors to Town of Westborough's Motion to Dismiss Bankruptcy Case</i> with certificate of service filed by Petitioning Creditor Nathanson & Goldberg, P.C. Re: <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case with certificate of service. (Gordon, Stephen) (Entered: 02/07/2024)
02/07/2024		<u>87</u>	Objection / <i>Opposition</i> with certificate of service filed by Petitioning Creditor Nathanson & Goldberg, P.C. Re: <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case with certificate of service. (Attachments: # <u>1</u> Exhibit 1 – LLC Operating Agreement (Delaware) # <u>2</u> Exhibit 2 – Email from Goulston & Storrs P.C. # <u>3</u> Exhibit 3 – Second Notice of Supplementation in Land Court Proceeding # <u>4</u> Exhibit 4 – First Notice of Supplementation in Land Court Proceeding # <u>5</u> Exhibit 5 – Town Request for Proposal for 231 Tunrpike Road, Westborough, Mass. # <u>6</u> Exhibit 6 – Copies of August 8, 2023 Checks from IRS (US Treasury) to Westborough SPE LLC c/o New York Address of Akouete and Edwards # <u>7</u> Exhibit 7 – Email Correspondence between Calif. State Controller Office and Attorney Iris Leahy (Town of Westborough)) (Schlager, Scott) (Entered: 02/07/2024)

02/08/2024		<u>88</u>	CORRECTED HEARING NOTICE. Hybrid Hearing Scheduled for 2/13/2024 at 10:30 AM Either Zoom or In Person at Worcester Courtroom 3 – CJP. Objections due by 2/12/2024 at 04:30 PM on <u>78</u> Expedited Motion of the Chapter 7 Trustee, Jonathan R. Goldsmith, to Compel the California State Controller to Surrender to the Trustee Property of the Estate. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS (hm) (Entered: 02/08/2024)
02/09/2024		<u>89</u>	Status Report (<i>Joint Status Report in Advance of Feb. 13, 2024 Hearing</i>) filed by Creditor Town of Westborough (Smerage, Roger) (Entered: 02/09/2024)
02/09/2024		<u>90</u>	Position Statement with certificate of service (Re: <u>20</u> Motion for Relief From Stay, <u>69</u> Motion to Dismiss Case, <u>78</u> Motion to Compel) filed by Creditor Lolonyon Akouete. (ab) (Entered: 02/09/2024)
02/09/2024		<u>91</u>	Certificate of Service of Notice of Hearing (Re: <u>78</u> Motion to Compel) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 02/09/2024)
02/11/2024		<u>92</u>	Motion filed by Creditor Lolonyon Akouete for Interim Distribution with certificate of service. (ab) (Entered: 02/12/2024)
02/12/2024		<u>93</u>	Motion filed by Trustee Jonathan R. Goldsmith to Withdraw Document and Cancel Hearing [Re: <u>78</u> Motion filed by Trustee Jonathan R. Goldsmith to Compel the California State Controller to Surrender to the Trustee Property of the Estate [Expedited Determination Requested] with certificate of service.] with certificate of service. (Goldsmith, Jonathan) (Entered: 02/12/2024)
02/12/2024		<u>94</u>	Order dated 2/12/2024 Re: <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA), <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case, <u>78</u> Motion filed by Trustee Jonathan R. Goldsmith to Compel the California State Controller to Surrender to the Trustee Property of the Estate. THE COURT HEREBY CONVERTS THE IN PERSON/VIDEO HYBRID HEARINGS REGARDING DKT. NOS. 20, 69, AND 78 SCHEDULED FOR FEBRUARY 13, 2024 AT 10:30 A.M. TO TELEPHONIC STATUS CONFERENCES. TO PARTICIPATE, PARTIES SHALL DIAL (877) 873-8018 AND ENTER ACCESS CODE 1167883. (ab) (Entered: 02/12/2024)
02/12/2024		<u>95</u>	Order dated 2/12/2024 Re: <u>83</u> Motion filed by Creditor Town of Westborough for Remand Tax Foreclosure Action (Re: <u>74</u> Notice). NO FURTHER ACTION WILL BE TAKEN ON THIS MOTION [DKT. NO. 83] ON THE MAIN CASE DOCKET. THE MOTION HAS BEEN REDOCKETED IN ADVERSARY PROCEEDING NO. 24-4006, DKT. NO. 2. (ab) (Entered: 02/12/2024)
02/12/2024		<u>96</u>	Order dated 2/12/2024 Re: <u>93</u> Motion filed by Trustee Jonathan R. Goldsmith to Withdraw Document and Cancel Hearing [Re: <u>78</u> Motion filed by Trustee Jonathan R. Goldsmith to Compel the California State Controller to Surrender to the Trustee Property of the Estate [Expedited Determination Requested]. GRANTED . THE MOTION TO COMPEL [DKT. NO. 78] IS HEREBY WITHDRAWN AND THE STATUS CONFERENCE SCHEDULED FOR FEBRUARY 13, 2024 REGARDING THE MOTION TO COMPEL IS CANCELLED AS UNNECESSARY. (ab) (Entered: 02/12/2024)

02/12/2024		<u>97</u>	Response with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>66</u> Order dated 1/12/2024 Re: <u>65</u> Motion filed by Creditor Lolonyon Akouete to Compel Release of Information For Compliance with the Financial Crimes Enforcement Network (FinCEN) Requirements. (Goldsmith, Jonathan) (Entered: 02/12/2024)
02/13/2024			Status Conference Held and Continued to 03/19/2024 at 01:30 PM Either Zoom or In Person at Worcester Courtroom 3 – CJP on <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). (hm) (Entered: 02/13/2024)
02/13/2024			Status Conference Held and Continued to 03/19/2024 at 01:30 PM Either Zoom or In Person at Worcester Courtroom 3 – CJP on <u>69</u> Motion of the Town of Westborough to Dismiss Bankruptcy Case. (hm) (Entered: 02/13/2024)
02/13/2024		<u>98</u>	Proceeding Memorandum and Order dated 2/13/2024 Re: <u>69</u> Motion of the Town of Westborough to Dismiss Bankruptcy Case; and <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). THE STATUS CONFERENCES ON DKT. NOS. 20 AND 69 ARE CONTINUED TO 3/19/2024 AT 1:30 P.M. IN COURTROOM 3, 595 MAIN STREET, WORCESTER, MA, WITH AN OPTION FOR PARTIES IN INTEREST TO APPEAR BY ZOOM VIDEO. TO OBTAIN VIDEO ACCESS INFORMATION FOR THE CONTINUED STATUS CONFERENCES, PARTIES IN INTEREST SHALL EMAIL THE COURTROOM DEPUTY, HALINA MAGEROWSKI, AT CJP_COURTROOM_DEPUTY@MAB.USCOURTS.GOV NO LATER THAN 3/18/2024 AT 4:30 P.M., PROVIDING THE CONTACT INFORMATION FOR THE PARTY SEEKING TO APPEAR BY VIDEO.(ab) (Entered: 02/13/2024)
02/14/2024		<u>99</u>	Request For Expedited Determination filed by Creditor Lolonyon Akouete Supplement [Re: <u>92</u> Motion of Lolonyon Akouete for Interim Distributionn] with certificate of service. (ab) (Entered: 02/14/2024)
02/14/2024		<u>100</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>94</u> Order on Motion to Dismiss Case) Notice Date 02/14/2024. (Admin.) (Entered: 02/15/2024)
02/14/2024		<u>101</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>95</u> Order on Motion For Remand) Notice Date 02/14/2024. (Admin.) (Entered: 02/15/2024)
02/14/2024		<u>102</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>96</u> Order on Motion to Withdraw Document) Notice Date 02/14/2024. (Admin.) (Entered: 02/15/2024)
02/15/2024		<u>103</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>98</u> Order on Motion to Dismiss Case) Notice Date 02/15/2024. (Admin.) (Entered: 02/16/2024)
02/20/2024		<u>104</u>	Expedited Motion filed by Creditor Lolonyon Akouete for Clarification and to Compel Release of Information for Compliance with FINCEN Requirements with certificate of service. (Telam, Usbc) (Entered: 02/20/2024)
02/23/2024		<u>105</u>	Order dated 2/23/2024 Re: <u>97</u> Response with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>66</u> Order dated 1/12/2024 Re: <u>65</u> Motion filed by Creditor Lolonyon Akouete to Compel Release of

			Information For Compliance with the Financial Crimes Enforcement Network (FinCEN) Requirements. UPON CONSIDERATION OF THE TRUSTEE'S RESPONSE TO ORDER FOR STATUS REPORT REGARDING RELEASE OF INFORMATION FOR COMPLIANCE WITH THE FINANCIAL CRIMES ENFORCEMENT NETWORK REQUIREMENTS [DKT. NO. 97], THE TRUSTEE SHALL FILE AN UPDATED STATUS REPORT WITH RESPECT TO THE ORDER ENTERED AT DKT. NO. 66 ON OR BEFORE MAY 23, 2024. (Telam, Usbc) (Entered: 02/23/2024)
02/23/2024		<u>106</u>	Endorsed Order dated 2/23/2024 Re: <u>104</u> Expedited Motion filed by Creditor Lolonyon Akouete for Clarification and to Compel Release of Information for Compliance with FINCEN Requirements. DENIED . AS REFERENCED IN THE ORDER ENTERED AT DKT. NO. 105, THE TRUSTEE IS FILING A FURTHER STATUS REPORT ON OR BEFORE MAY 23, 2024. (Telam, Usbc) (Entered: 02/23/2024)
02/26/2024		<u>107</u>	Objection with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>92</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution with certificate of service., <u>99</u> Motion filed by Creditor Lolonyon Akouete For Expedited Determination [Re: <u>92</u> Motion for Interim/Supplemental Distribution] with certificate of service. (Goldsmith, Jonathan) (Entered: 02/26/2024)
02/27/2024		<u>108</u>	Response with certificate of service filed by Creditor Lolonyon Akouete to <u>107</u> Objection filed by Trustee Jonathan R. Goldsmith Re: <u>92</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution, and <u>99</u> Motion filed by Creditor Lolonyon Akouete For Expedited Determination [Re: <u>92</u> Motion for Interim/Supplemental Distribution]. (ab) (Entered: 02/27/2024)
02/27/2024		<u>109</u>	Response with certificate of service filed by Petitioning Creditor Nathanson & Goldberg, P.C. Re: <u>92</u> Motion of Lolonyon Akouete for Interim Distribution, <u>99</u> Motion of Lolonyon Akouete For Expedited Determination, <u>107</u> Trustee's Objection, and <u>108</u> Response of Lolonyon Akouete to <u>107</u> Trustee's Objection. (Gordon, Stephen) (Entered: 02/27/2024)
02/27/2024		<u>110</u>	Motion filed by Creditor Town of Westborough to Extend Time to File Proof of Claim with certificate of service. (Smerage, Roger) (Entered: 02/27/2024)
02/27/2024		<u>112</u>	Reply with certificate of service filed by Creditor Lolonyon Akouete to <u>109</u> Response filed by Petitioning Creditor Nathanson & Goldberg, P.C. Re: <u>92</u> Motion of Lolonyon Akouete for Interim Distribution, <u>99</u> Motion of Lolonyon Akouete For Expedited Determination, <u>107</u> Trustee's Objection, and <u>108</u> Response of Lolonyon Akouete to <u>107</u> Trustee's Objection. (ab) (Entered: 02/28/2024)
02/28/2024		<u>111</u>	Response with certificate of service filed by Creditor Lolonyon Akouete Re: <u>110</u> Motion filed by Creditor Town of Westborough to Extend Time to File Proof of Claim. (ab) (Entered: 02/28/2024)
02/29/2024		<u>113</u>	Opposition filed by Creditor Town of Westborough [Re: <u>92</u> Motion for Interim/Supplemental Distribution, <u>99</u> Motion filed by Creditor Lolonyon Akouete For Expedited Determination] with certificate of service. (Smerage, Roger) (Entered: 02/29/2024)
03/19/2024		<u>114</u>	

			Order dated 3/19/2024 Re: <u>92</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution, <u>99</u> Request For Expedited Determination filed by Creditor Lolonyon Akouete Supplement. REQUEST FOR EXPEDITED DETERMINATION [DKT. NO. 99] OF THE MOTION FOR INTERIM DISTRIBUTION FILED BY LOLONYON AKOUETE [DKT. NO. 92] (THE "INTERIM DISTRIBUTION MOTION") IS DENIED. UPON CONSIDERATION OF THE INTERIM DISTRIBUTION MOTION, THE OBJECTIONS OF THE CHAPTER 7 TRUSTEE [DKT. NO. 107], THE PETITIONING CREDITORS [DKT. NO. 109], AND THE TOWN OF WESTBOROUGH [DKT. NO. 113], AND THE REPLIES OF MR. AKOUETE [DKT. NOS. 108 AND 112], THE INTERIM DISTRIBUTION MOTION IS DENIED AS PREMATURE. (meh, Usbc) (Entered: 03/19/2024)
03/19/2024		<u>115</u>	Order dated 3/19/2024 Re: <u>110</u> Motion filed by Creditor Town of Westborough to Extend Time to File Proof of Claim. UPON CONSIDERATION OF TOWN OF WESTBOROUGH'S MOTION TO ENLARGE THE TIME TO FILE A PROOF OF CLAIM [DKT. NO. 110] (THE "MOTION"), THE RESPONSE THERETO FILED BY LOLONYON AKOUETE [DKT. NO. 111], AND NO OTHER OBJECTIONS HAVING BEEN FILED, THE MOTION IS GRANTED. THE DEADLINE FOR THE TOWN OF WESTBOROUGH TO FILE A PROOF OF CLAIM IS EXTENDED AS REQUESTED PENDING ENTRY OF AN ORDER BY THE COURT THAT THE PROPERTY AT ISSUE IS PROPERTY OF THE ESTATE. (meh, Usbc) (Entered: 03/19/2024)
03/19/2024			Hybrid Hearing Held and Continued to 04/23/2024 at 01:30 PM Either Zoom or In Person at Worcester Courtroom 3 – CJP on <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). (hm) (Entered: 03/19/2024)
03/19/2024			Hybrid Hearing Held and Continued to 04/23/2024 at 01:30 PM Either Zoom or In Person at Worcester Courtroom 3 – CJP on : <u>69</u> Motion of the Town of Westborough to Dismiss Bankruptcy Case. (hm) (Entered: 03/19/2024)
03/19/2024		<u>116</u>	Proceeding Memorandum and Order dated 3/19/2024 Re: <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case, Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts. THE STATUS CONFERENCES ON DOCKET NOS. 20 AND 69 ARE CONTINUED TO 4/23/2024 AT 1:30 P.M. IN COURTROOM 3, 595 MAIN STREET, WORCESTER, MA WITH AN OPTION FOR PARTIES TO APPEAR BY ZOOM VIDEO. TO OBTAIN VIDEO ACCESS INFORMATION FOR THE CONTINUED STATUS CONFERENCES, PARTICIPANTS SHALL EMAIL THE COURTROOM DEPUTY AT CJP_COURTROOM_DEPUTY@MAB.USCOURTS.GOV NO LATER THAN 4/22/2024 AT 4:30 P.M., PROVIDING THE CONTACT INFORMATION FOR THE PARTY SEEKING TO APPEAR BY VIDEO. (Telam, Usbc) (Entered: 03/19/2024)
03/27/2024		<u>117</u>	Email from Interested Party Lolonyon Akouete. (sas) (Entered: 03/27/2024)
03/28/2024		<u>118</u>	Motion before The Honorable Howard P. Speicher filed by Party Lolonyon Akouete Re: <u>117</u> Email from Interested Party Lolonyon Akouete. (meh, Usbc) (Entered: 03/28/2024)
04/15/2024		<u>119</u>	

			Adversary case 24-04017. Complaint by Lolonyon Akouete against Jonathan Goldsmith . . (Attachments: # <u>1</u> Exhibit) Nature of Suit(91 (Declaratory judgment))(dc) (Entered: 04/15/2024)
04/15/2024		<u>120</u>	Notice of Withdrawal of Appearance/Representation of <i>Scott A. Schlager, Esq.</i> filed by Petitioning Creditor Nathanson & Goldberg, P.C. (Schlager, Scott) (Entered: 04/15/2024)
04/15/2024		<u>121</u>	Request to Report Harassment, Intimation, Isolation, Mental, Physical, Emotional Abuse and Stress Due to Financial Hardship filed by Interested Party Denise Edwards. (Attachments: # <u>1</u> Settlement Purposes) (ab) (Entered: 04/17/2024)
04/17/2024		<u>122</u>	Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor, with certificate of service, Fee Amount \$199, Objections due by 5/2/2024. (ab) (Entered: 04/18/2024)
04/18/2024		<u>123</u>	Clerk's Notice of Fees Due (Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor). Fee due by 5/2/2024. (ab) (Entered: 04/18/2024)
04/18/2024		<u>124</u>	Court Certificate of Mailing Re: <u>123</u> Clerk's Notice of Fees Due. (ab) (Entered: 04/18/2024)
04/22/2024		<u>125</u>	Order dated 4/22/2024 Re: <u>117</u> Email from Interested Party Lolonyon Akouete, <u>118</u> Motion before The Honorable Howard P. Speicher filed by Party Lolonyon Akouete Re: <u>117</u> Email from Interested Party Lolonyon Akouete. LOLONYON AKOUE TE HAVING TRANSMITTED THE DOCUMENT AT DKT. NO. 118 FOR FILING (THE "DOCUMENT"), WHICH DOCUMENT DOES NOT CONTAIN THE CAPTION OF THIS COURT AND THERE BEING NO INFORMATION AS TO WHETHER THE DOCUMENT WAS INTENDED AS AN EXHIBIT TO ANY OTHER FILING OF MR. AKOUE TE, THE DOCUMENT SHALL BE STRICKEN ON OR AFTER APRIL 30, 2024, ABSENT ANY SUPPLEMENT BY MR. AKOUE TE WITH RESPECT TO THE DOCUMENT. (meh, Usbc) (Entered: 04/22/2024)
04/22/2024		<u>126</u>	Motion filed by Creditor Lolonyon Akouete to Include [Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor] <i>In the Upcoming Hearing</i> , with certificate of service. (ab) (Entered: 04/23/2024)
04/23/2024		<u>127</u>	Telephonic Status Conference Scheduled for 5/8/2024 at 11:00 AM on <u>121</u> Complaint to Report Threats, Harassment, Disrespect, Isolation, Mental Stress, Emotional Stress, Physical Distress and Financial Hardship Filed by Denise Edwards. TO PARTICIPATE, ATTENDEES SHALL DIAL (646) 828-7666 AND ENTER MEETING ID 160 257 7274 AND PASSCODE 984 524 WHEN PROMPTED. To facilitate informal discussions similar to those that occur just prior to in-person hearings that may narrow or resolve issues, the Court encourages parties to confer by telephone prior to the scheduled hearing. When stating their names for the record, participants are invited to also state that the parties have reached resolution on some or all of the issues on for hearing. (hm) (Entered: 04/23/2024)
04/23/2024		<u>128</u>	Endorsed Order dated 4/23/2024 Re: <u>126</u> Motion filed by Creditor Lolonyon Akouete to Include Re: <u>122</u> Motion filed by Creditor Lolonyon

			Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor In the Upcoming Hearing,. DENIED . THE MOTION FOR RELIEF [DKT. NO. 122] WILL BE SCHEDULED FOR A DATE AFTER EXPIRATION OF THE OBJECTION DEADLINE WITH RESPECT TO THAT MOTION. (meh, Usbc) (Entered: 04/23/2024)
04/23/2024			Hybrid Hearing Held and Continued to 06/04/2024 at 02:00 PM Either Zoom or In Person at Worcester Courtroom 3 – CJP on <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA). (hm) (Entered: 04/23/2024)
04/23/2024			Hybrid Hearing Held and Continued to 06/04/2024 at 02:00 PM Either Zoom or In Person at Worcester Courtroom 3 – CJP on <u>69</u> Motion of the Town of Westborough to Dismiss Bankruptcy Case. (hm) (Entered: 04/23/2024)
04/23/2024		<u>129</u>	Proceeding Memorandum and Order dated 4/23/2024 Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts, and <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case. THE STATUS CONFERENCES ON DOCKET NOS. 20 AND 69 ARE CONTINUED TO 6/4/2024 AT 2:00 P.M. IN COURTROOM 3, 595 MAIN STREET, WORCESTER, MA WITH AN OPTION FOR PARTIES TO APPEAR BY ZOOM VIDEO. TO OBTAIN VIDEO ACCESS INFORMATION FOR THE CONTINUED STATUS CONFERENCES, PARTICIPANTS SHALL EMAIL THE COURTROOM DEPUTY AT CJP_COURTROOM_DEPUTY@MAB.USCOURTS.GOV NO LATER THAN 6/3/2024 AT 4:30 P.M., PROVIDING THE CONTACT INFORMATION FOR THE PARTY SEEKING TO APPEAR BY VIDEO. (ab) (Entered: 04/23/2024)
04/25/2024		<u>130</u>	Motion filed by Interested Party Lolonyon Akouete to Waive Filing Fees (Re: 84] Notice of Removal, <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a definitive Judgment) with certificate of service. (Telam, Usbc) (Entered: 04/25/2024)
04/25/2024		<u>131</u>	BNC Certificate of Mailing – Hearing. (Re: <u>127</u> Hearing Scheduled) Notice Date 04/25/2024. (Admin.) (Entered: 04/26/2024)
04/25/2024		<u>132</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>129</u> Order on Motion to Dismiss Case) Notice Date 04/25/2024. (Admin.) (Entered: 04/26/2024)
04/28/2024		<u>133</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>128</u> Order on Motion to Continue/Cancel Hearing) Notice Date 04/28/2024. (Admin.) (Entered: 04/29/2024)
04/29/2024		<u>134</u>	Notice of Appearance and Request for Notice by Jose C. Centeio filed by Petitioning Creditor Nathanson & Goldberg, P.C. (Centeio, Jose) (Entered: 04/29/2024)
04/30/2024		<u>135</u>	Motion filed by Creditor Lolonyon Akouete For Court Intervention <i>Regarding Continuations and to Investigate Possible Collusive Transactions Related to the Sale of Debtor Property</i> , with certificate of service. (ab) (Entered: 04/30/2024)
05/02/2024		<u>136</u>	Objection filed by Trustee Jonathan R. Goldsmith Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a

			definitive Judgment with certificate of service Fee Amount \$199, (Goldsmith, Jonathan) (Entered: 05/02/2024)
05/02/2024		<u>137</u>	Certificate of Service (Re: <u>136</u> Objection) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 05/02/2024)
05/02/2024		<u>138</u>	Opposition with certificate of service filed by Creditor Town of Westborough Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a definitive Judgment with certificate of service Fee Amount \$199, (Smerage, Roger) (Entered: 05/02/2024)
05/03/2024		<u>139</u>	Hybrid Hearing Scheduled for 5/16/2024 at 10:30 AM at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA 02109 on <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (meh, Usbc) (Entered: 05/03/2024)
05/03/2024		<u>140</u>	Hybrid Hearing Scheduled on 5/16/2024 at 10:30 AM at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA 02109. Objections due by 5/14/2024 at 11:59 PM on <u>130</u> Motion filed by Interested Party Lolonyon Akouete to Waive Filing Fees (Re: <u>84</u> Notice of Removal, <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a definitive Judgment). PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (meh, Usbc) (Entered: 05/03/2024)
05/03/2024		<u>141</u>	Hybrid Hearing Scheduled on 5/16/2024 at 10:30 AM at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA 02109. Objections due by 5/14/2024 at 11:59 PM on <u>135</u> Motion filed by Creditor Lolonyon Akouete For Court Intervention Regarding Continuances and to Investigate Possible Collusive Transactions Related to the Sale of Debtor Property. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (meh, Usbc) (Entered: 05/03/2024)
05/03/2024		<u>142</u>	Generic PDF Re: <u>139</u> Hybrid Hearing Notice. (meh, Usbc) (Entered: 05/03/2024)
05/04/2024		<u>146</u>	Reply with certificate of service filed by Creditor Lolonyon Akouete Re: <u>138</u> Opposition filed by Creditor Town of Westborough Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor. (ab) (Entered: 05/06/2024)
05/05/2024		<u>143</u>	BNC Certificate of Mailing – Hearing. (Re: <u>140</u> Hearing Scheduled) Notice Date 05/05/2024. (Admin.) (Entered: 05/06/2024)
05/05/2024		<u>144</u>	BNC Certificate of Mailing – Hearing. (Re: <u>141</u> Hearing Scheduled) Notice Date 05/05/2024. (Admin.) (Entered: 05/06/2024)
05/05/2024		<u>145</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>142</u> Generic PDF) Notice Date 05/05/2024. (Admin.) (Entered: 05/06/2024)
05/07/2024		<u>147</u>	Application filed by Trustee Jonathan R. Goldsmith to Employ Verdolino & Lowey, P.C. as Accountant filed with Affidavit along with certificate of service and proposed order. (Goldsmith, Jonathan) (Entered: 05/07/2024)
05/08/2024			

			Hearing Held Re: <u>121</u> Complaint to Report Threats, Harassment, Disrespect, Isolation, Mental Stress, Emotional Stress, Physical Distress and Financial Hardship Filed by Denise Edwards. (ab) (Entered: 05/08/2024)
05/08/2024		<u>148</u>	Order Dated 5/8/2024 Re: <u>121</u> Complaint to Report Threats, Harassment, Disrespect, Isolation, Mental Stress, Emotional Stress, Physical Distress and Financial Hardship Filed by Denise Edwards. STRICKEN . See Order for Full Text. (ab) (Entered: 05/08/2024)
05/09/2024		<u>149</u>	Motion filed by Creditor Lolonyon Akouete Requesting Response to Previously Filed Motions and Concerns Over Proposed Settlement (Re: <u>92</u> Motion for Interim Distribution, and <u>99</u> Request For Expedited Determination filed by Creditor Lolonyon Akouete Supplement [Re: <u>92</u> Motion for Interim Distributionn]) with certificate of service. (ab) (Entered: 05/09/2024)
05/10/2024		<u>150</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>148</u> Order) Notice Date 05/10/2024. (Admin.) (Entered: 05/11/2024)
05/13/2024		<u>151</u>	Order Dated 5/13/2024 Re: <u>118</u> Motion before The Honorable Howard P. Speicher filed by Party Lolonyon Akouete Re: <u>117</u> Email from Interested Party Lolonyon Akouete. NO SUPPLEMENT HAVING BEEN FILED TO THE DOCUMENT AT DKT. NO. 118 (THE "DOCUMENT") IN COMPLIANCE WITH THE ORDER ENTERED AT DKT. NO. 125, THE DOCUMENT IS HEREBY STRICKEN, WITHOUT PREJUDICE TO THE DOCUMENT BEING REFILED AS AN EXHIBIT TO ANY RELEVANT PLEADING, IF APPROPRIATE. IN ADDITION, THE TRANSMISSION EMAIL AT DKT. NO. 117 IS ALSO STRICKEN. (ab) (Entered: 05/13/2024)
05/13/2024		<u>152</u>	Endorsed Order dated 5/13/2024 Re: <u>149</u> Motion filed by Creditor Lolonyon Akouete Requesting Response to Previously Filed Motions and Concerns Over Proposed Settlement (Re: <u>92</u> Motion for Interim Distribution, and <u>99</u> Request For Expedited Determination filed by Creditor Lolonyon Akouete Supplement [Re: <u>92</u> Motion for Interim Distributionn]). DENIED . THE MOTIONS AT DKT.NOS. 92 AND 99 HAVE BEEN DENIED. SEE ORDER AT DKT. NO. 114. THE OBJECTION TO A SETTLEMENT "PROPOSAL" THAT HAS NOT BEEN FILED IS PREMATURE. (ab) (Entered: 05/13/2024)
05/14/2024		<u>153</u>	Opposition with certificate of service filed by Creditor Town of Westborough Re: <u>135</u> Motion filed by Creditor Lolonyon Akouete to Intervene with certificate of service (Smerage, Roger) (Entered: 05/14/2024)
05/14/2024		<u>154</u>	Opposition filed by Trustee Jonathan R. Goldsmith Re: <u>135</u> Motion filed by Creditor Lolonyon Akouete to Intervene with certificate of service (Goldsmith, Jonathan) (Entered: 05/14/2024)
05/14/2024		<u>155</u>	Certificate of Service (Re: <u>154</u> Opposition) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 05/14/2024)
05/15/2024		<u>156</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>151</u> Order) Notice Date 05/15/2024. (Admin.) (Entered: 05/16/2024)
05/15/2024		<u>157</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>152</u> Order on Motion for Order/Authority) Notice Date 05/15/2024. (Admin.) (Entered: 05/16/2024)

05/15/2024		<u>158</u>	Response with certificate of service filed by Creditor Lolonyon Akouete Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts. (ab) (Entered: 05/16/2024)
05/16/2024		<u>159</u>	Endorsed Order dated 5/16/2024 Re: <u>130</u> Motion filed by Interested Party Lolonyon Akouete to Waive Filing Fees (Re: <u>84</u> Notice of Removal, <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a definitive Judgment). THE REQUEST IS DENIED WITHOUT PREJUDICE AS WILL BE REFLECTED IN A SEPARATE ORDER TO ENTER. THE MAY 16, 2024 HEARING ON THIS MATTER IS CANCELLED. (ab) (Entered: 05/16/2024)
05/16/2024			Hearing Held Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor. (ab) (Entered: 05/20/2024)
05/16/2024			Hearing Held Re: <u>135</u> Motion filed by Creditor Lolonyon Akouete For Court Intervention Regarding Continuations and to Investigate Possible Collusive Transactions Related to the Sale of Debtor Property. (ab) (Entered: 05/20/2024)
05/18/2024		<u>160</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>159</u> Order on Motion to Waive) Notice Date 05/18/2024. (Admin.) (Entered: 05/19/2024)
05/19/2024		<u>161</u>	Reply with certificate of service filed by Creditor Lolonyon Akouete Re: <u>154</u> Opposition filed by Trustee Jonathan R. Goldsmith Re: <u>135</u> Motion filed by Creditor Lolonyon Akouete For Court Intervention Regarding Continuations and to Investigate Possible Collusive Transactions Related to the Sale of Debtor Property. (ab) (Entered: 05/20/2024)
05/20/2024		<u>162</u>	Proceeding Memorandum and Order dated 5/20/2024 Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor. DENIED . MOVANT FAILED TO APPEAR TO PROSECUTE THE MOTION. IN ADDITION, THE MOTION IS DENIED AS IT DID NOT STATE A SUFFICIENT BASIS AS TO WHY THE MOVANT SHOULD BE PERMITTED TO PURSUE ASSERTED CLAIMS OUTSIDE OF THE CLAIMS PROCESS IN THIS CASE AND AS CONTEMPLATED BY THE BANKRUPTCY CODE AND RULES. (ab) (Entered: 05/20/2024)
05/20/2024		<u>163</u>	Proceeding Memorandum and Order dated 5/20/2024 Re: <u>135</u> Motion filed by Creditor Lolonyon Akouete For Court Intervention Regarding Continuations and to Investigate Possible Collusive Transactions Related to the Sale of Debtor Property. MOVANT FAILED TO APPEAR. THE MOTION IS DENIED . AS PREMATURE AND FOR THE REASONS STATED ON THE RECORD. IF AND WHEN A SETTLEMENT IS PROPOSED AND A MOTION TO APPROVE THE SETTLEMENT IS FILED, MR. AKOUETE CAN FILE AN APPROPRIATE OBJECTION. (ab) (Entered: 05/20/2024)
05/21/2024		<u>164</u>	Motion filed by Creditor Lolonyon Akouete for Reconsideration of Order Denying Motion for Relief from Stay (Re: <u>162</u> Proceeding Memorandum and Order dated 5/20/2024 Re: <u>122</u> Motion filed by Creditor Lolonyon Akouete for Relief from Stay Re: To Pursue a Judgment Confirming the amount of the debt owed by the Debtor) with certificate of service. (ab) (Entered: 05/22/2024)

05/21/2024		<u>165</u>	Motion filed by Creditor Lolonyon Akouete for Reconsideration (Re: <u>163</u> Proceeding Memorandum and Order dated 5/20/2024 Re: 135 Motion filed by Creditor Lolonyon Akouete For Court Intervention Regarding Continuations and to Investigate Possible Collusive Transactions Related to the Sale of Debtor Property) with certificate of service. (ab) (Entered: 05/22/2024)
05/22/2024		<u>166</u>	Motion filed by Creditor Lolonyon Akouete to Abandon Claims or Pursue Claims Belonging to the Bankruptcy Estate with certificate of service. (Telam, Usbc) (Entered: 05/22/2024)
05/22/2024		<u>167</u>	Endorsed Order dated 5/22/2024 Re: <u>147</u> Application filed by Trustee Jonathan R. Goldsmith to Employ Verdolino & Lowey, P.C. as Accountant. ALLOWED . NO OBJECTIONS FILED. THE CHAPTER 7 TRUSTEE'S APPLICATION TO EMPLOY VERDOLINO & LOWEY, P.C. AS ACCOUNTANT IS APPROVED PURSUANT TO 11 U.S.C. § 327. PAYMENT OF FEES AND EXPENSES OF ACCOUNTANT IS SUBJECT TO PRIOR COURT APPROVAL PURSUANT TO 11 U.S.C. § 330. (Telam, Usbc) (Entered: 05/22/2024)
05/22/2024		<u>168</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>162</u> Order on Motion For Relief From Stay) Notice Date 05/22/2024. (Admin.) (Entered: 05/23/2024)
05/22/2024		<u>169</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>163</u> Order on Motion To Intervene) Notice Date 05/22/2024. (Admin.) (Entered: 05/23/2024)
05/23/2024		<u>170</u>	Response filed by Trustee Jonathan R. Goldsmith Re: <u>65</u> Motion filed by Creditor Lolonyon Akouete to Compel Release of Information For Compliance with the Financial Crimes Enforcement Network (FinCEN) Requirements, <u>105</u> Order dated 2/23/2024 with certificate of service. (Goldsmith, Jonathan) (Entered: 05/23/2024)
05/27/2024		<u>171</u>	Response with certificate of service filed by Creditor Lolonyon Akouete Re: <u>170</u> Updated Response filed by Trustee Jonathan R. Goldsmith Re: <u>65</u> Motion filed by Creditor Lolonyon Akouete to Compel Release of Information For Compliance with the Financial Crimes Enforcement Network (FinCEN) Requirements, <u>105</u> Order dated 2/23/2024. (ab) (Entered: 05/28/2024)
06/04/2024			Hearing Held and Continued to 07/25/2024 at 11:00 AM at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA 02109 Re: <u>20</u> Motion for Relief From Stay Filed by Creditor Town of Westborough. (meh, Usbc) (Entered: 06/07/2024)
06/04/2024			Hearing Held and Continued to 07/25/2024 at 11:00 AM at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA 02109 Re: <u>69</u> Motion to Dismiss Case Filed by Creditor Town of Westborough. (meh, Usbc) (Entered: 06/07/2024)
06/05/2024		<u>172</u>	Opposition with certificate of service filed by Creditor Town of Westborough Re: <u>164</u> Motion filed by Creditor Lolonyon Akouete to Reconsider (<u>162</u> Order on Motion For Relief From Stay) with certificate of service., <u>165</u> Motion filed by Creditor Lolonyon Akouete to Reconsider (<u>163</u> Order on Motion To Intervene) with certificate of service. (Smerage, Roger) (Entered: 06/05/2024)
06/05/2024		<u>173</u>	Objection with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>166</u> Motion filed by Creditor Lolonyon Akouete To

			Abandon Claims with certificate of service. (Goldsmith, Jonathan) (Entered: 06/05/2024)
06/07/2024		<u>174</u>	Correspondence Filed by Interested Party Denise Edwards. (Attachments: # <u>1</u> Exhibit) (ab) (Entered: 06/07/2024)
06/07/2024		<u>175</u>	Proceeding Memorandum and Order dated 6/7/2024 Re: <u>20</u> Motion of the Town of Westborough for Relief from the Automatic Stay (231 Turnpike Road, Westborough, MA), and <u>69</u> Motion of the Town of Westborough to Dismiss Bankruptcy Case. THE STATUS CONFERENCES ON DOCKET NOS. 20 AND 69 ARE CONTINUED TO JULY 25, 2024 AT 11:00 A.M. IN COURTROOM 1, 12TH FLOOR, JOHN W. MCCORMACK POST OFFICE AND COURT HOUSE, 5 POST OFFICE SQUARE, BOSTON, MA WITH AN OPTION TO APPEAR BY ZOOM VIDEO. TO OBTAIN VIDEO ACCESS INFORMATION FOR THE CONTINUED HEARING, PARTICIPANTS SHALL EMAIL THE COURTROOM DEPUTY AT CJP_COURTROOM_DEPUTY@MAB.USCOURTS.GOV NO LATER THAN 7/24/2024 AT 4:30 P.M., PROVIDING THE CONTACT INFORMATION FOR THE PARTY SEEKING TO APPEAR BY VIDEO. (ab) (Entered: 06/07/2024)
06/09/2024		<u>176</u>	BNC Certificate of Mailing – PDF Document. (Re: <u>175</u> Order on Motion to Dismiss Case) Notice Date 06/09/2024. (Admin.) (Entered: 06/10/2024)
06/10/2024		<u>177</u>	Supplement with certificate of service To Motion for Relief from Automatic Stay (Doc #122) And Motion for Reconsideration of Order Denying Motion for Relief from Stay (Doc #164) (Re: <u>122</u> Motion for Relief From Stay, and <u>164</u> Motion to Reconsider) filed by Creditor Lolonyon Akouete. (Attachments: # <u>1</u> Exhibit 1 # <u>2</u> Exhibit 2 # <u>3</u> Exhibit 3 # <u>4</u> Exhibit 4 # <u>5</u> Exhibit 5) (ab) (Entered: 06/10/2024)
06/12/2024		<u>178</u>	Motion filed by Creditor Lolonyon Akouete with certificate of service for Sanctions for Violation of the Automatic Stay. (ab) (Entered: 06/12/2024)
06/17/2024		<u>179</u>	Response with certificate of service filed by Creditor Lolonyon Akouete Re: <u>173</u> Objection filed by Trustee Jonathan R. Goldsmith Re: <u>166</u> Motion filed by Creditor Lolonyon Akouete To Abandon Claims. (ab) (Entered: 06/17/2024)
06/19/2024		<u>180</u>	Motion filed by Creditor Lolonyon Akouete for Interim Distribution and Request for Expedited Determination with certificate of service. (ab) (Entered: 06/20/2024)
06/19/2024		<u>181</u>	Motion filed by Creditor Lolonyon Akouete with certificate of service to Shorten Time for Objections and Opposition Re: <u>180</u> Motion for Interim Distribution. (ab) (Entered: 06/20/2024)
06/23/2024		<u>182</u>	Motion filed by Creditor Lolonyon Akouete to Amend Proof of Claim with certificate of service. (ab) (Entered: 06/24/2024)
06/26/2024		<u>183</u>	Opposition with certificate of service filed by Creditor Town of Westborough Re: <u>180</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution with certificate of service. (Smerage, Roger) (Entered: 06/26/2024)
06/26/2024		<u>184</u>	

			Opposition with certificate of service filed by Petitioning Creditor Nathanson & Goldberg, P.C. Re: <u>180</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution with certificate of service. (Gordon, Stephen) (Entered: 06/26/2024)
06/26/2024		<u>185</u>	Objection with certificate of service filed by Trustee Jonathan R. Goldsmith Re: <u>180</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution with certificate of service. (Goldsmith, Jonathan) (Entered: 06/26/2024)
06/28/2024		<u>186</u>	Reply with certificate of service filed by Creditor Lolonyon Akouete Re: <u>183</u> Opposition filed by Creditor Town of Westborough Re: <u>180</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution, <u>184</u> Opposition filed by Petitioning Creditor Nathanson & Goldberg, P.C. Re: <u>180</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution, and <u>185</u> Objection filed by Trustee Jonathan R. Goldsmith Re: <u>180</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution. (ab) (Entered: 06/28/2024)
06/28/2024		<u>187</u>	Response to Motion for Sanctions for Violation of the Automatic Stay with certificate of service filed by Interested Party Walter A. Horst Re: <u>178</u> Motion filed by Creditor Lolonyon Akouete for Sanctions or Costs with certificate of service. (Miller, Samuel) (Entered: 06/28/2024)
07/07/2024		<u>188</u>	Reply with certificate of service filed by Creditor Lolonyon Akouete Re: <u>187</u> Response filed by Interested Party Walter A. Horst Re: <u>178</u> Motion filed by Creditor Lolonyon Akouete for Sanctions or Costs. (ab) (Entered: 07/08/2024)
07/08/2024		<u>189</u>	Settlement Agreement by Trustee Jonathan R. Goldsmith and Town of Westborough, Ferris Development Group, LLC, Lax Media LLC and Lax Media MA LLC, Nathanson & Goldberg, P.C. and Durgaprasad Nagalla and Venkatesh Mohamraj, Trustees of the MobileStreet Trust filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 07/08/2024)
07/08/2024		<u>190</u>	Motion filed by Trustee Jonathan R. Goldsmith to Approve [Re: <u>189</u> Settlement Agreement]. (Goldsmith, Jonathan) (Entered: 07/08/2024)
07/11/2024		<u>191</u>	Opposition with certificate of service filed by Creditor Lolonyon Akouete Re: <u>190</u> Motion filed by Trustee Jonathan R. Goldsmith to Approve [Re: <u>189</u> Settlement Agreement]. (ab) (Entered: 07/11/2024)
07/11/2024		<u>192</u>	Certificate of Service (Re: <u>189</u> Settlement Agreement, <u>190</u> Motion to Approve) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 07/11/2024)
07/11/2024		<u>193</u>	Motion filed by Creditor Lolonyon Akouete to Shorten Time for Objections, Oppositions, and Replies [Re: <u>189</u> Settlement Agreement, <u>190</u> Trustee's Motion to Approve <u>189</u> Settlement Agreement, and <u>191</u> Opposition of Creditor Lolonyon Akouete to <u>190</u> Trustee's Motion to Approve <u>189</u> Settlement Agreement] with certificate of service. (ab) (Entered: 07/12/2024)
07/24/2024		<u>194</u>	Reply in Support with certificate of service filed by Creditor Town of Westborough Re: <u>190</u> Motion filed by Trustee Jonathan R. Goldsmith to Approve [Re: <u>189</u> Settlement Agreement]. (Attachments: # <u>1</u> List of Exhibits) (Smerage, Roger) (Entered: 07/24/2024)

07/24/2024		<u>195</u>	Exhibit <i>List of Exhibits</i> (Re: <u>194</u> Reply) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Exhibit 1 – Declaration of Kristi Williams # <u>2</u> Exhibit 2 – Affidavit of Select Board Chair Ian Johnson # <u>3</u> Certificate of Service) (Smerage, Roger) (Entered: 07/24/2024)
07/24/2024		<u>196</u>	Order dated 7/24/2024 Re: <u>193</u> Motion filed by Creditor Lolonyon Akouete to Shorten Time for Objections, Oppositions, and Replies [Re: 189 Settlement Agreement, 190 Trustee's Motion to Approve 189 Settlement Agreement, and 191 Opposition of Creditor Lolonyon Akouete to 190 Trustee's Motion to Approve 189 Settlement Agreement]. DENIED. PURSUANT TO FED. R. BANKR. P. 2002(a)(3), OTHER THAN WITH RESPECT TO AN EXCEPTION THAT IS NOT APPLICABLE TO THE SETTLEMENT AGREEMENT AT ISSUE IN THIS CASE, AT LEAST TWENTY-ONE (21) DAYS NOTICE OF A MOTION TO APPROVE SETTLEMENT IS REQUIRED REGARDING "THE HEARING ON APPROVAL OF A COMPROMISE OR SETTLEMENT OF A CONTROVERSY," ABSENT CAUSE SHOWN. UPON CONSIDERATION OF THE MOTION, ADEQUATE CAUSE HAS NOT BEEN DEMONSTRATED TO SHORTEN NOTICE OF THE HEARING. MR. AKOUEDE'S ASSERTION THAT "[S]HORTENING THE TIME FRAME WILL HELP IN AVOIDING POTENTIAL DELAYS THAT MAY ARISE FROM PROLONGED OBJECTIONS AND RESPONSES, ENSURING A MORE EFFICIENT RESOLUTION PROCESS" IS INSUFFICIENT TO DEMONSTRATE SHORTENED NOTICE IS IN THE BEST INTEREST OF THE ESTATE AND ALL CREDITORS, PARTICULARLY WHERE THE ESTATE FIDUCIARY, THE CHAPTER 7 TRUSTEE, HAS NOT SOUGHT EXPEDITED CONSIDERATION OF THE MOTION TO APPROVE THE SETTLEMENT AGREEMENT. THE MOTION TO APPROVE THE SETTLEMENT WILL BE SCHEDULED IN THE ORDINARY COURSE. (dc) (Entered: 07/24/2024)
07/24/2024		<u>197</u>	DISREGARD. Hybrid Hearing Scheduled on 8/15/2024 at 02:30 PM Either by Zoom or In Person at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA 02109 Re: <u>190</u> Motion filed by Trustee Jonathan R. Goldsmith to Approve <u>189</u> Settlement Agreement. Objections due by 8/13/2024 at 11:59 PM. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (lb) CORRECTIVE ENTRY: An Amended Hybrid Hearing Notice Will Enter. Modified on 7/24/2024. (lb). (Entered: 07/24/2024)
07/24/2024		<u>198</u>	DISREGARD. NOTICE OF RESCHEDULED HYBRID HEARING. Hybrid Scheduled on 8/15/2024 at 02:30 PM Either by Zoom or In Person at Boston Courtroom 1, 12th Floor, 5 Post Office Square, Boston, MA 02109 Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts and <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (lb) CORRECTIVE ENTRY: An Amended Rescheduled Hybrid Hearing Notice Will Enter. Modified on 7/24/2024 (Entered: 07/24/2024)
07/24/2024		<u>199</u>	NOTICE OF AMENDED HEARING NOTICE. Hybrid Hearing Scheduled on 8/20/2024 at 02:00 PM Either by Zoom or In Person at Worcester Courtroom 3 – CJP Re: <u>190</u> Motion filed by Trustee Jonathan R. Goldsmith to Approve <u>189</u> Settlement Agreement. Objections due by 8/16/2024 at 11:59 PM. PLEASE READ NOTICE FOR COMPLETE INSTRUCTIONS. (lb) (Entered: 07/24/2024)
07/24/2024		<u>200</u>	AMENDED NOTICE OF RESCHEDULED HYBRID STATUS CONFERENCE. Hybrid Status Conference Rescheduled to 8/20/2024 at

			02:00 PM Either by Zoom or In Person at Worcester Courtroom 3 – CJP Re: <u>20</u> Motion filed by Creditor Town of Westborough for Relief from Stay Re: 231 Turnpike Road, Westborough, Massachusetts and <u>69</u> Motion filed by Creditor Town of Westborough to Dismiss Case. PLEASE READ AMENDED NOTICE FOR COMPLETE INSTRUCTIONS. (dr) (Entered: 07/24/2024)
07/25/2024			Hybrid Hearing Rescheduled to 8/20/2024 at 02:00 PM Either by Zoom or In Person at Worcester Courtroom 3 – CJP Re: <u>20</u> Motion for Relief From Stay filed by Creditor Town of Westborough, <u>69</u> Motion to Dismiss Case filed by Creditor Town of Westborough. (lb) (Entered: 07/25/2024)
07/25/2024		<u>201</u>	Certificate of Service of Notice of Hearing (Re: <u>20</u> Motion for Relief From Stay, <u>69</u> Motion to Dismiss Case) filed by Creditor Town of Westborough (Attachments: # <u>1</u> Amended Notice of Rescheduled Status Conference) (Smerage, Roger) (Entered: 07/25/2024)
07/25/2024		<u>202</u>	Order dated 7/25/2024 Re: <u>182</u> Motion filed by Creditor Lolonyon Akouete to Amend Proof of Claim. THE MOTION TO AMEND PROOF OF CLAIM [DKT. NO. 182] (THE "MOTION") IS DENIED AS UNNECESSARY. CLAIM AMENDMENTS ARE NOT GOVERNED BY FED. R. BANKR. P. 7015. MR. AKOUE TE MAY AMEND CLAIM 4–1 FILED ON 12/14/2023 BY FILING AN AMENDED CLAIM ON THE CLAIMS REGISTER, WHICH AMENDED CLAIM SHALL BE SUBJECT TO OBJECTION. THE COURT WILL PLACE THE PROOF OF CLAIM ATTACHED AS EXHIBIT B TO THE MOTION ON THE CLAIMS REGISTER AND IT WILL BE DEEMED FILED AS CLAIM 4–2 AS OF THE DATE MR. AKOUE TE FILED THE MOTION. ANY OTHER RELIEF REQUESTED THROUGH THE MOTION IS DENIED. (Telam, Usbc) (Entered: 07/25/2024)
07/25/2024		<u>203</u>	Certificate of Service of Notice of Hearing (Re: <u>190</u> Motion to Approve) filed by Trustee Jonathan R. Goldsmith (Goldsmith, Jonathan) (Entered: 07/25/2024)
07/25/2024		<u>204</u>	Order dated 7/25/2024 Re: <u>180</u> Motion filed by Creditor Lolonyon Akouete for Interim Distribution and Request for Expedited Determination, <u>181</u> Motion filed by Creditor Lolonyon Akouete to Shorten Notice [Re: <u>180</u> Motion for Interim/Supplemental Distribution]. REQUEST FOR EXPEDITED DETERMINATION [DKT. NO. 181] OF THE SECOND MOTION FOR INTERIM DISTRIBUTION FILED BY LOLONYON AKOUE TE [DKT. NO. 180] (THE "SECOND MOTION") IS DENIED . UPON CONSIDERATION OF THE SECOND MOTION, THE OBJECTIONS OF THE CHAPTER 7 TRUSTEE [DKT. NO. 185], THE PETITIONING CREDITOR [DKT. NO. 184], AND THE TOWN OF WESTBOROUGH [DKT. NO. 183], THE REPLY OF MR. AKOUE TE [DKT. NO. 186], AND THE RECORD OF THIS CASE, THE SECOND MOTION IS DENIED AS PREMATURE. (Telam, Usbc) (Entered: 07/25/2024)
07/26/2024		<u>205</u>	Notice of Appeal and Statement of Election to Bankruptcy Appellate Panel. Fee Amount \$298 Filed by Creditor Lolonyon Akouete (RE: <u>204</u> Order on Motion for Interim/Supplemental Distribution). Appellant Designation due by 8/9/2024. Compiled Records Due by 8/23/2024. Transmission of Designation Due by 8/26/2024. (meh, Usbc) (Entered: 07/26/2024)
07/26/2024		<u>206</u>	Request filed by Creditor Lolonyon Akouete to Waive Appeal Fee . (meh, Usbc) (Entered: 07/26/2024)

07/26/2024		<u>207</u>	Notice of Appeal to Bankruptcy Appellate Panel Re: <u>205</u> Notice of Appeal and Statement of Election filed by Creditor Lolonyon Akouete, Interested Party Lolonyon Akouete. (meh, Usbc) (Entered: 07/26/2024)
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re:

Westborough SPE LLC

Debtor(s)

Chapter 7
23-40709-CJP

ORDER

MATTER:

#180 Motion filed by Creditor Lolonyon Akouete for Interim Distribution and Request for Expedited Determination and

#181 Motion filed by Creditor Lolonyon Akouete with certificate of service to Shorten Time for Objections and Opposition Re: 180 Motion for Interim Distribution.

REQUEST FOR EXPEDITED DETERMINATION [DKT. NO. 181] OF THE SECOND MOTION FOR INTERIM DISTRIBUTION FILED BY LOLONYON AKOUE TE [DKT. NO. 180] (THE "SECOND MOTION") IS DENIED. UPON CONSIDERATION OF THE SECOND MOTION, THE OBJECTIONS OF THE CHAPTER 7 TRUSTEE [DKT. NO. 185], THE PETITIONING CREDITOR [DKT. NO. 184], AND THE TOWN OF WESTBOROUGH [DKT. NO. 183], THE REPLY OF MR. AKOUE TE [DKT. NO. 186], AND THE RECORD OF THIS CASE, THE SECOND MOTION IS DENIED AS PREMATURE.

Dated: 07/25/2024

By the Court,

A handwritten signature in black ink, reading "Christopher J. Panos". The signature is written in a cursive style with a large, stylized "C" and "P".

Christopher J. Panos
United States Bankruptcy Judge

Official Form 417A (12/23)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

WORCESTER, ss.

In re:

WESTBOROUGH SPE LLC,

Debtor.

LOLONYON AKOUETE,

Creditor/Appellant,

v.

JONATHAN GOLDSMITH, Chapter 7 Trustee,
Nathanson & Goldberg, P.C, Petitioning Creditor
The MobileStreet Trust, Petitioning Creditor,
Town of Westborough, Creditor,

Appellees

Case No. 23-40709-CJP
Chapter 7

NOTICE OF APPEAL AND STATEMENT OF ELECTION

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s): LOLONYON AKOUETE

2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

☐ Plaintiff

☐ Defendant

☐ Other (describe) _____

For appeals in a bankruptcy case and not in an adversary proceeding.

☐ Debtor

☒ Creditor

☐ Trustee

☐ Other (describe) _____

Part 2: Identify the subject of this appeal

1. Describe the judgment—or the appealable order or decree—from which the appeal is taken:
Order dated 7/25/2024 re: [180] Motion filed by Creditor Lolonyon Akouete for Interim Distribution and Request for Expedited Determination. Request for expedited determination [Dkt. No. 181] of the second motion for interim distribution filed by Lolonyon Akouete [Dkt. No. 180] (the "Second Motion") is denied. Upon consideration of the second motion, the objections of the Chapter 7 Trustee [Dkt. No. 185], the petitioning creditor [Dkt. No. 184], and the Town of Westborough [Dkt. No. 183], the reply of Mr. Akouete [Dkt. No. 186], and the record of this case, the second motion is denied as premature.
2. State the date on which the judgment—or the appealable order or decree—was entered:
July 25, 2024

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment—or the appealable order or decree—from which the appeal is taken and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: Jonathan R. Goldsmith Attorney: Chapter 7 Trustee
Goldsmith, Katz & Argenio P.C.
1350 Main Street, 15th Floor.
Springfield, MA 01103
jgoldsmith@gkalawfirm.com
2. Party: Petitioning Creditors Attorney: Stephen F. Gordon
The Gordon Law Firm LLP
River Place 57 River Street
Wellesley, MA 02481
sgordon@gordonfirm.com
3. Party: Town of Westborough Attorney: Roger L. Smerage
KP Law, P.C. 101 Arch Street,
12th Floor Boston, MA 02110
rsmerage@k-plaw.com

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

- ☐ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Part 5: Sign below



Date: 07/26/2024

Signature of attorney for appellant(s) (or appellant(s) if not represented by an attorney)

Name, address, and telephone number of attorney (or appellant(s) if not represented by an attorney):

Lolonyon Akouete

800 Red Mills Rd, Wallkill NY 12589

Info@smartinvestorsllc.com

443-447-3276

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

[Note to inmate filers: If you are an inmate filer in an institution and you seek the timing benefit of Fed. R. Bankr. P. 8002(c)(1), complete Director's Form 4170 (Declaration of Inmate Filing) and file that declaration along with the Notice of Appeal.]

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In Re: Westborough SPE LLC

Chapter

23-40709

Judge Christopher J. Panos

NOTICE OF FILING OF APPEAL TO BANKRUPTCY APPELLATE PANEL

On **JULY 26, 2024**, the appellant, LOLONYON AKOUETE filed a Notice of Appeal in the above referenced case which has been transmitted to the United States Bankruptcy Appellate Panel for the First Circuit ("BAP"). If desired, an appellee(s) has 30 days from the date of the service of this notice to file an election with the BAP to have the United States District Court for the District of Massachusetts hear the appeal. *See* 28 U.S.C. § 158(c)(1) and Fed. R. Bankr. P. 8001 et seq.

Pursuant to Fed. R. Bankr. P. 8009, the appellant must file with the Clerk of the Bankruptcy Court a designation of the items to be included in the record on appeal and a statement of issues to be presented within the deadline set forth in the rule and serve a copy on the appellee(s).

The appellee(s) may file a designation of additional items to be included in the record within fourteen (14) days after service of the appellant's designation and statement. The parties shall consult Fed. R. Bankr. P. 8009 for deadlines applicable to cross-appeals.

Upon the filing of the designation of the items to be included in the record on appeal and the statement of issues to be presented, and after expiration of the fourteen (14) day period for the appellee(s) to file a designation of additional items, the Clerk's Office will forward the designation(s) and statement to the BAP electronically.

If a party to the appeal designates any document placed under seal to be part of the record on appeal, that party must file a motion with the BAP to accept the document under seal. If the BAP grants the motion, the movant must notify the Bankruptcy Court of the ruling. *See* Fed. R. Bankr. P. 8009(f).

It is the duty of the parties to order a transcript of the proceedings or relevant parts thereof. If no transcript is ordered, the parties must advise the Bankruptcy Court by filing "Certificate of No Transcript Ordered." *See* Fed. R. Bankr. P. 8009(b).

It is the duty of the parties to ensure that the record on appeal is complete.

Date: 7/26/24

Mary P. Sharon

Clerk, U.S. Bankruptcy Court

By the Court,

Megan Heinrich

Deputy Clerk

(508) 770- 8950